	UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TENNESSEE	FILED BY We O.C.
TORTIL	WESTERN DIVISION	05 JUN -3 PM 12: 43
NOAH WILKINS, III	)	ROBERT R. DI TROLIO CLERK, U.S. DIST. CT. W.D. OF TN, MEMPHIS
Plaintiff,	)	W.D. OF TH, MEMPHIS
v.	) Civil Action No. 04-2293(D)\	1
JO ANNE BARNHART, Commissioner of the Social Security Administration,	) ) )	
Defendant.	)	

## CONSENT ORDER GRANTING ATTORNEY FEES UNDER THE EQUAL ACCESS TO JUSTICE ACT

Plaintiff's attorney has requested an award of attorney fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412 in the amount of \$4,937.50, which represents 39.50 hours at a rate of \$125 per hour. After discussions, Plaintiff and Defendant have agreed that \$4,400 is a reasonable fee in this case.

WHEREFORE, by consent the parties request the Court enter its Order awarding EAJA fees to Plaintiff in the total amount of \$4,400.

IT IS SO ORDERED.

This 3rd day of June, 2005

Honorable Bernice B. Donald United States District Judge

This document entered on the docket sheet in compliance with Rule 58 and/or 79(a) FRCP on 6.05



CONSENTED TO AND APPROVED:

Lester T. Wener,

Attorney for Plaintiff By Cons. 100 N. Main Building, Suite 12334

Memphis, Tennessee 38103

TERELL L. HARRIS United States Attorney

Joe A. Dycus,

Assistant United States Attorney 167 N. Main Street, 8th Floor

Memphis, Tennessee 38103



## **Notice of Distribution**

This notice confirms a copy of the document docketed as number 23 in case 2:04-CV-02293 was distributed by fax, mail, or direct printing on June 6, 2005 to the parties listed.

Joe A. Dycus U.S. ATTORNEY'S OFFICE 167 N. Main St. Ste. 800 Memphis, TN 38103

Lester T. Wener MCWHORTER & WENER 100 N. Main Street Ste. 1234 Memphis, TN 38103

Honorable Bernice Donald US DISTRICT COURT